



JON M. HUNTSMAN, JR.
Governor
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Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

MICHAEL R. STYLER
Executive Director

KENT L. JONES
State Engineer/Division Director

Dennis McDonald
818 South Hwy 89A
Kanab, Utah 84741

Reference: SEAA #1133 Satisfactory Completion of Control Structure Improvements


Dear Dennis,

In May and October of 2006 you were provided a notice under the State Engineer's Agency Action: (SEAA) #1133 of improvements required at your diversion. On October 7, 2008 Division of Water Rights Staff, along with the East Fork of the Virgin River, Water Commissioner Gerry Hoyt, conducted an inspection of your diversion and measuring system. This inspection indicated that the water measurement facilities in place at the time of the inspection were not adequate for proper water regulation and distribution by the water commissioner. At that time improvements were discussed with you at the diversion site. On July 21, 2009, a subsequent inspection indicated that the required improvements were substantially complete as required by Division of Water Rights. The Water Commissioner will make final operational checks for reliability and functioning. If additional improvements are needed, those will be discussed with you in the future.

We commend you and appreciate the diligence in your efforts to improve the diversion and ensure that the water commissioner has appropriate tools in place to both measure and regulate water.

Thank you for your cooperation in attending to this matter. This letter serves to officially remove this SEAA from active enforcement at the present time. If you have any questions, please contact Mike Silva, Distribution Engineer by phone at 801-538-7430 or by e-mail at MikeSilva@Utah.Gov or Kurt Vest Regional Engineer, by phone at 435 586-4231 or by e-mail at KurtVest@utah.gov.

Dated this 5th day of August 2009


Mike Silva
Distribution Engineer

cc: Distribution File
Kurt Vest, Regional Engineer
Gerry Hoyt, Water Commissioner

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